



IN REPLY REFER TO:

3809  
U-69380  
UT-023

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Salt Lake District Office  
2370 South 2300 West  
Salt Lake City, Utah 84119

5/003/020  
**RECEIVED**

**DEC 04 2002**

DIV. OF OIL, GAS & MINING

**DEC 02 2002**

Certified Mail Number 7001 2510 0007 1134 0796  
Return Receipt Requested

Mr. Gary Mullard  
Northern Stone Supply, Inc.  
P.O. Box 249  
Oakley, Idaho 83346

Dear Mr. Mullard:

During our July 17, 2002 field visit to your Turquoise Stone claim area, we discussed issues related to the current surface disturbance within the claim area and your proposal to expand crushing and stockpiling operations southward onto your Turquoise Stone Mill Site No. 4. We also discussed Bureau of Land Management (BLM) concerns on the placement of outhouses, vault toilets, bunkhouses, and other surface facilities within the claim area, which may not be in compliance with Box Elder County Health Department regulations. At the time of the meeting, and in your subsequent letter of July 30, 2002, you said that you would contact the appropriate county agencies and provide our office the requested information. We have never received the information you agreed to send.

On November 18, 2002, we received your letter requesting an update as to when our review of your Plan Amendment would be completed. As I have pointed out, we are still waiting for your update on the information related to public health issues. We have prepared a draft Environmental Assessment (EA) for your Plan Amendment, which is currently being reviewed by our field office staff. Completion and subsequent approval of your proposed plan is still contingent on our receipt of the appropriate health permits from Box Elder County or a letter from the county stating that no permits are required. In order to expedite the approval process, we suggest that you obtain these permits and/or letter from the county and forward copies to the Salt Lake Field Office at your earliest convenience. We would also ask that you forward a copy of your approval from the Utah Division of Oil, Gas and Mining.

To the best of my recollection during the July 17, 2002 field visit, you agreed to interlock a BLM lock at both the main entrance to your Turquoise claim area and to the "upper gate" located on your Turquoise Stone placer mining claim. On November 7, 2002, our wildlife and rangeland management staff conducted a field visit to the site in order to complete their portion of the environmental analyses for your Plan Amendment. At the time of their visit, it was discovered that the BLM lock on the upper gate had been bypassed and was not interlocked with one of your

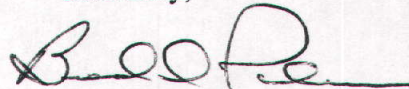


locks, as was agreed. This prevented BLM staff from accessing the upper claim area and the adjacent Public Lands. Because of the remoteness of your stone quarry, it requires the better part of a day to visit the site. The prohibitive cost associated with the salaries of two employees, usage of a government vehicle, and the time commitment make it absolutely necessary for our office to have administrative access to the public lands within your claim block. In an effort to save taxpayer dollars and to be able to continue to process your plan amendment, it was necessary to cut your lock so access could be obtained to the upper portion of the property. Upon leaving the site, the BLM lock was not used to lock the gate because to do so would also prevent you or your staff from accessing the upper claim area. To avoid access problems in the future, we suggest that you place a new lock on the subject gate, and interlock the BLM lock as you previously agreed to on July 17, 2002.

In response to your statement that "the BLM has illegally withheld our valid patent application for over 10 years now, causing huge, unnecessary extra expense and delays," I would like to point out that your pending patent application is being processed by our Utah BLM State Office. We suggest that you contact Opie Abeyta at (801) 539-4123 for updated information related to this issue.

Gary, I appreciate your patience and cooperation. We are trying to improve our communication and move forward with your plan amendment. We have experienced some in-house delays as a result of the installation of new carpet and systems furniture. This has put us approximately two weeks behind on most projects. So please bear with us. But again, let me emphasize that we cannot finish the approval process on your plan amendment until we have received all of the information requested above. If you have any questions or require additional clarification, please feel free to contact Michael Ford of my staff at (801) 977-4360.

Sincerely,



Brad D. Palmer  
Assistant Field Manager  
Non-Renewable Resources

cc: John S. Kirkham  
Stoel Rives LLP

D. Wayne Hedberg  
Utah Division of Oil, Gas and Mining